

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 21, 1997  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:07 a.m. Mayor Golding acknowledged and welcomed the Port Commissioners and Chairman Michael McDade to the Council Meeting. Mayor Golding recessed the regular meeting at 10:08 a.m. to convene the Special Joint Council Meeting with the San Diego Unified Port District. Deputy Mayor Warden reconvened the regular meeting at 11:42 a.m. with Mayor Golding not present. The meeting was recessed by Deputy Mayor Warden at 12:05 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:08 p.m. with all Councilmembers present. Deputy Mayor Warden adjourned the meeting at 5:08 p.m. into Closed Session on Tuesday, October 28, 1997, at 9:00 a.m. in the twelfth floor conference room to discuss existing and anticipated litigation, real property negotiations, and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (pr/lw)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Wear-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Assistant City Clerk Jack Fishkin.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell referring to a video called "Rules of Engagement" regarding WACO, and his feeling everyone should view it. Mr. Stillwell further expressed he was appalled at the F.B.I. for using C. S. gas during the WACO incident.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A197-223.)

ITEM-PC-2: REFERRED TO THE CITY ATTORNEY

Comment by Christian Chaffee regarding a Historic Trolley Line in San Diego and the need to preserve historic "Class-1 Street Cars." Mr. Chaffee further expressed he would like Council to investigate the possibility of restoring three trolley car bodies and that they be designated as "Historic Structures." Assistant City Attorney Les Girard pointed out that Mr. Chaffee has been ordered by the Court to remove certain trolleys from a current location by January 10, 1998 and whatever is said or done in Council today does not relieve Mr. Chaffee from that action.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C223-248.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings commending the community of Linda Vista for establishing a Farmer's Market on Saturday afternoons with Kearny High School.

Council Member Stallings encouraged everyone to go see some of the great things they have at the Farmer's Market for sale. Council Member Stallings further expressed that last week in Clairemont at Longford Street and Clairemont Mesa Boulevard there was a fire that could have been much worse if it were not for the brave community residents who took hoses and saved some of the houses. Council Member Stallings thanked those first on the scene from Engine Company Number 27 for their great efforts and bravery.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C277-297.)

ITEM-CC-2:

Comment by Council Member Stevens regarding the City buying tickets for this coming Charger Game if the Chargers do not sell 60,000 tickets. Mr. Stevens suggested this Thursday, prior to 11:00 a.m. when the decision will be made whether or not to black-out the game, to purchase tickets if necessary per his proposal submitted to Council. Council Member Stevens further stated the purchase of the tickets would be the same amount as the rent credits to be paid at the end of the year for the unsold tickets to the game; and in addition would provide four dollars per ticket in revenue.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C308-343.)

ITEM-CC-3:

Comment by Council Member Vargas regarding the Concours d'Elegance Committee for their magnificent car show this weekend at the North Torrey Pines Golf Course. Mr. Vargas expressed the Committee had some of the finest cars in the world there. Council Member Vargas congratulated the Committee on the successful event.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C357-364.)

ITEM-CC-4:

Comment by Council Member Wear regarding his successful trip to Washington D.C. a few weeks ago and along with CCDC they hosted a luncheon for SPAWAR Contractors to try to encourage them to locate to downtown San Diego. There was a presentation from EDC and the Chamber promoting economic development and location of the SPAWAR Companies to San Diego. Council Member Wear further expressed seeing a lot of benefit from those jobs coming to San Diego. Mr. Wear had the opportunity to meet with transportation officials regarding transient oriented development projects and according to Mr. Wear they were very interested in the 12th and C project, which includes a new trolley station and library for City College. Further, creative ways to address issues of Navy Housing and the possibility of Joint Public/Private Partnerships were discussed. Council Member Wear also expressed lifeguards and rescue teams had been training in the Potomac River and they are now well equipped to respond to river and flood potentials faced with El Nino. Lastly, Mr. Wear expressed there were 120 trees planted along Catalina Boulevard in District 2 and he wanted to thank the "People for Trees" and all the volunteers who participated in that event.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C364-393.)

ITEM-CC-5:

Comment by Council Member McCarty that the Board of Supervisors voted 5 to 0 to create the Library Authority.

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for the Regular Meeting of Tuesday, October 21, 1997

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FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C394-401.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/29/97 Adjourned  
9/30/97

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C555-556.)

MOTION BY STEVENS TO APPROVE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

(Continued from the meeting of October 7, 1997, Item 31, at Councilmember Kehoe's request, to allow Mr. Diaz the opportunity to attend the meeting. He was in Washington, D.C. receiving his award from President Clinton.)

SUBJECT: Sergeant Derek Diaz Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-313) ADOPTED AS RESOLUTION R-289285

Recognizing Sergeant Derek Diaz for his years of dedication, hard work and outstanding service to the San Diego Police Department and the communities of San Diego, culminating in his receipt of the 1997 Top Cops Award;

Proclaiming October 9, 1997 to be "Sergeant Derek Diaz Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C406-473.)

MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: CONTINUED TO NOVEMBER 10, 1997

SUBJECT: Joy Galloway Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-405)

Recognizing the outstanding contributions of Joy Galloway during the past twelve years to improve the lives of citizens of those effected by HIV/AIDs, their friends and family in the San Diego region;

Proclaiming October 20, 1997 to be "Joy Galloway Day" in San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C555-556.)

MOTION BY STEVENS TO CONTINUE THIS ITEM TO NOVEMBER 10, 1997 AT THE REQUEST OF COUNCIL MEMBER KEHOE FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Domestic Violence Awareness Month.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-396) ADOPTED AS RESOLUTION R-289286

Recognizing the importance of the continued commitment to reduce the number of incidents and provide education, support and assistance to all affected by domestic violence;

Proclaiming the month of October 1997 to be "Domestic Violence Awareness Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C481-555.)

MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Inviting Bids for Construction of Clay Park Play Area ADA Upgrade.

(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-303) ADOPTED AS RESOLUTION R-289287



Inviting bids for the construction of Clay Park Play Area ADA Upgrade on Work Order No. 112694;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$9,794 from PSD Fund No. 11610, Colina Del Sol - Major District and not to exceed \$75,000 from CDBG Fund No. 118532, Dept. No. 4120, Org. No. 2010, Clay Neighborhood Park Play Area ADA Upgrade;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City

Treasury. (BID-K98030C)

CITY MANAGER SUPPORTING INFORMATION:

Clay Neighborhood Park is located on the southeast corner of Seminole Drive and Solita Avenue. The three-acre park was developed in 1982. The proposed project will provide upgrades to meet ADA requirements, including new accessible equipment and surfacing for the play area requested by the community, and an accessible parking space and curb cut.

Aud. Cert. 9800262.

FILE LOCATION: W.O. 112694 / CONT - Edward A. Zasqueta  
Contracting CONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Lot Consolidation and Easement Abandonment - Parcel Map  
W.O. No. 967091.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-393) ADOPTED AS RESOLUTION R-289288

Approving Parcel Map W.O. No. 967091, including the  
abandonment of general utility, building restricted and  
water easements per Map-11841.

CITY MANAGER SUPPORTING INFORMATION:

This lot line adjustment and lot consolidation parcel map  
reflects a redesign of a previously approved residential  
condominium project (Map-11841). The changes have been requested  
by the subdivider to accommodate a different product type. The  
map requires City Council approval because easements are being  
abandoned on the map. The existing utility easements are no  
longer needed because of the redesign. New easements are granted  
on the map to accommodate the new utility locations. Staff has  
determined that the revised project is consistent with all  
previously approved permits.

FILE LOCATION: SUBD - Parcel Map W.O. No. 967091  
DEEDFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Closed South Miramar Landfill - Access Project.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-392) ADOPTED AS RESOLUTION R-289289

Accepting grant deeds of Union Bank of California and Marina Piccioni, granting to the City a portion of Parcels 2 and 3 of Parcel Map PM-1318 for the development of permanent access into the adjacent City-owned parcel, Assessor Parcel Numbers 356-031-07 and 13;

Authorizing the expenditure of not to exceed \$40,000 from Fund No. 41201, CIP-37-251.3 (South Miramar Gas Collection System), for acquisition of property rights and related acquisition costs.

CITY MANAGER SUPPORTING INFORMATION:

Environmental Services Department installed a landfill gas collection system at the closed South Miramar Landfill, a City-owned parcel of land. Access to the site is presently obtained under a Right of Entry Permit (ROE) granted by the adjacent property owner, Union Bank of California. The current ROE expires on October 31, 1997. Approval of this action will provide for the acquisition of the right of way required to develop permanent access onto the site, which is necessary for operation and maintenance of the gas collections system, as well as post closure monitoring and maintenance of the landfill cover as required by State law.

Aud. Cert. 9800364.

FILE LOCATION: DEED F-7099 DEEDFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103:

SUBJECT: Accepting Donation - Coast Boulevard Park Improvements.

(La Jolla/La Jolla Shores Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-345) ADOPTED AS RESOLUTION R-289290

Accepting the generous donation of funds necessary to  
construct the Shell Beach View Area, in the amount of  
\$10,000 from an anonymous donor, supplementing Capital  
Improvement Program (CIP) funding available in  
CIP-29-563.9, Coast Boulevard Improvement;

Authorizing the expenditure of not to exceed \$10,000  
from CIP-29-563.0, Coast Boulevard Park Improvements,  
Private and Other Contributions, Fund No. 63022 for the  
construction of Shell Beach View Area;

Authorizing the City Auditor and Comptroller, upon  
advice from the Administering Department, to transfer  
funds to the appropriate reserve provided that the City  
Auditor first furnishes a certificate demonstrating  
that the funds necessary for such expenditure are, or  
will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

Coast Boulevard Park is an existing 4.55 acre resource based park  
located on the west side of Coast Boulevard along La Jolla's  
scenic coastline. The CIP improvement area extends from  
Nicholson Point Park north to Goldfish Point. The project

includes the replacement of asphalt walks with concrete, the construction and/or renovation of fencing, a wooden stairway, retaining and seat walls, viewing areas, and the installation of new irrigation systems and landscaping.

The project is currently under construction. Extensive cultural resource testing was required as a condition of obtaining the necessary Sensitive Coastal Resource Overlay Zone Permit (SCR), Coastal Development Permit (CDP), and Conditional Use Permit (CUP) for project construction. Generous community donations totaling \$89,000 for construction of specific improvement areas were accepted by City Council on September 30, 1996, Resolution R-287857. An anonymous donor wishes to contribute additional funds towards work in progress. This generous donation is designated for the construction of the Shell Beach View Area and has been approved by the La Jolla Town Council. Any excess funds remaining in the project after completion will be returned to the appropriate fund number and will be made available for the next phase of Coast Boulevard Park Improvements CIP.

Aud. Cert. 9800350.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Donated Videotape Processing Surveillance Equipment to  
SDPD Robbery Unit.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-370) ADOPTED AS RESOLUTION R-289291

Accepting the donation by Atlantic Richfield Company's (Arco) National Crime Deterrent Program of: (1) 13-inch color monitor, (1) robot multiplex unit, (1) Panasonic time lapse video recorder, (1) Panasonic real time recorder, and 1) Sony color video printer contained in a trunk-like container to be used by police personnel assigned to the Robbery Unit in the enforcement of their duties;

Publicly expressing on behalf of the City the gratitude of the citizens of San Diego for this civic act of generosity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Effects of Geographical and Staffing Restructuring  
Models on Community Policing Grant Proposal.

(Districts-5,6,7 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-408) ADOPTED AS RESOLUTION R-289292

Authorizing the Chief of Police, on behalf of the City Manager, to apply for, accept, expend and administer funds for a grant from the U.S. Department of Justice, for a program to assess the effects of Geographical and Staffing Restructuring Models on Community Policing;

Authorizing the Chief of Police, on behalf of the City Manager, to accept, expend and administer any amendments, extensions, renewals, or future funding of this program for a period of up to five years, provided funding is made available by the U.S. Department of Justice.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Local Law Enforcement Block Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-407) ADOPTED AS RESOLUTION R-289293

Authorizing the City Manager to apply for, accept and expend the Local Law Enforcement Block Grant;

Authorizing the City Manager to execute all aspects of program operation including any amendments, extensions, or renewals for a period of up to five years, provided funding is made available by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS);

Authorizing the City Manager to commit the required matching funds congruent with the requirements of the Local Law Enforcement Block Grant program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: Excusing Councilmember Byron Wear from the Council  
Meeting of 10/7/97 and Committee Meetings of 10/8/97.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-98-399) ADOPTED AS RESOLUTION R-289294

Excusing Councilmember Byron Wear from attending the  
regularly scheduled Council meeting of Tuesday, October  
7, 1997, and the regularly scheduled Public Safety and  
Neighborhood Services Committee and the Land Use and  
Housing Committee meetings of Wednesday, October 8,  
1997, due to his participation in hosting the SPAWARS  
luncheon in Crystal City, VA, and to tour the Camden  
Yards Baseball Stadium in Baltimore, MD, and to  
participate in the Potomac River rescue training with  
San Diego Lifeguards.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.



\* ITEM-108:

SUBJECT: Albert Harutunian, Jr. Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-384) ADOPTED AS RESOLUTION R-289295

Designating October 22, 1997 as "Albert Harutunian, Jr.  
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Industrial Computer Source Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-98-338) ADOPTED AS RESOLUTION R-289296

Recognizing and applauding Industrial Computer Source  
and its employees for their ten years of corporate  
presence and community involvement in San Diego;

Proclaiming Thursday, October 23, 1997 to be  
"Industrial Computer Source Day" in San Diego in  
recognition of Industrial Computer Source's grand  
opening celebration.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110:

SUBJECT: San Diego Municipal Employees Association Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-350) CONTINUED TO NOVEMBER 4, 1997

Designating September 19, 1997 as "San Diego Municipal  
Employees Association Day" in San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO CONTINUE TO NOVEMBER 4, 1997,  
AT THE REQUEST OF COUNCIL MEMBER VARGAS TO ALLOW  
REPRESENTATIVES TO BE PRESENT TO ACCEPT THE PROCLAMATION.  
Second by Kehoe. Passed by the following vote: Mathis-yea,  
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111:

SUBJECT: Excusing Councilmember Vargas from the Council Meetings  
of September 8 and 9, 1997.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-275) ADOPTED AS RESOLUTION R-289297

Excusing Councilmember Vargas from attending the regularly scheduled Council meetings of September 8 and 9, 1997, to attend to family business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: Centre City East Litter Removal Project.

(Centre City Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-383) ADOPTED AS RESOLUTION R-289298

Authorizing a six year extension to the agreement of August 10, 1992, with Alpha Project for the Homeless to provide litter removal services in Centre City East;

Authorizing the expenditure of not to exceed \$25,000 from the Downtown Maintenance Assessment District, Fund No. 70212.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of a sixth year extension is to continue the City's effort to involve homeless individuals in providing a public service. By contracting with the Alpha Project for the Homeless

to remove litter from the Centre City East area of downtown, two issues can be addressed productively: maintenance of the public right-of-way and employment of the homeless. The Alpha Project For the Homeless is currently under a City contract to operate the Neil Good Homeless Day Center. The Downtown Maintenance Assessment District, administered by the Park and Recreation Department, is currently providing core litter removal service in Centre City East. For FY98, it is proposed that the District continue its contract with the Alpha Project for the Homeless for the 3 days/week litter removal service. The area is approximately 50 blocks: Market Street south to Commercial, and Sixth Avenue east to I-5. The contract extension period will be from July 1, 1997 to June 30, 1998. The original agreement was filed in the office of the City Clerk on August 10, 1992, Document No. RR-280523.

Aud. Cert. 9800366.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

SUBJECT: Agreement with Robert Bein, William Frost & Associates  
for As-Needed Civil Engineering Consultant Services.

(University, Mira Mesa, Scripps Miramar Ranch, and  
Miramar Ranch North Community Areas. Districts-1 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-372 Cor. Copy) ADOPTED AS RESOLUTION R-289299

Authorizing an agreement with Robert Bein, William Frost & Associates for as-needed civil engineering consultant services, for reclaimed water retrofit projects;

Authorizing the expenditure of not to exceed \$500,000 from Water Revenue Fund 41500, CIP-70-941.0, Annual Allocation for Reclaimed Water Retrofit Systems.

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for civil engineering services on an as-needed basis. These services will include the preparation of engineering and design drawings for various reclaimed water distribution projects. A registered Civil Engineer is required. A list of eleven consultants was provided by the City's Consultant Services Coordinator. The firms were interviewed on June 19 and 23, 1997 in accordance with Council Policy 300-7, and Robert Bein, William Frost & Associates was selected. Three other firms, Water 3 Engineering; P&D /Consoer Townsend Envirodyne Engineers; and HYA Consulting Engineers were also selected and agreements are forthcoming for the other consultant selections. Agreement tasks will be performed on a time and material basis. This agreement will terminate in two years from the date of execution by the City Manager. Existing potable water irrigation systems or other facilities intended for the use of reclaimed water must be "retrofitted" for such use before reclaimed water is provided to the user.

Improvements required may include installation of backflow preventer devices, separation of the reclaimed water system from the potable water system, the identification of reclaimed water system components by marking and tagging and the installation of signs to inform the public that reclaimed water is being used, and the installation of new piping systems as required. The retrofitting process includes the assessment and evaluation of existing facilities and the design, plan checking, construction, inspection and testing of the required modifications by City staff and County Health Department staff. The cost of retrofitting varies greatly depending on present user site conditions. Reclaimed Water Engineering staff of the Water Operations Division, Water Department is aggressively pursuing these potential customers and working with consultants

specializing in reclaimed water retrofitting to have these customers ready to accept reclaimed water when it becomes available. When approved, the City Manager will authorize the Reclaimed Water Coordinator to approve consultant tasks up to the agreement amount.

Aud. Cert. 9800373.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Amendment No. 4 to the Agreement with CH2M Hill, Inc.  
for the North City Water Reclamation Plant.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-397) ADOPTED AS RESOLUTION R-289300

Authorizing a fourth amendment to the agreement of  
October 7, 1991 with CH2M Hill, Inc., for additional  
services in connection with the North City Water  
Reclamation Plant;

Authorizing the expenditure of not to exceed \$580,000  
from Sewer Fund 41509, CIP-42-910.1, North City Water  
Reclamation Plant, to provide funds for this amendment,  
plant certification, and startup, provided that the  
City Auditor first furnishes a certificate  
demonstrating that funds necessary for expenditure are,  
or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to revise contract funding phases with CH2M Hill to include a scope of work, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

On October 7, 1991, the City Council approved the agreement between the City and CH2M Hill, Inc., for providing design services for the North City Water Reclamation Plant (NCWRP). Amendment No. 1 provided for services during construction and startup, Amendment No. 2 provided for corporate name change, Amendment No. 3 provided for additional services due to construction packaging. Amendment No. 4 is requested to include plant certification by the Engineer of Record, certifying that the plant has properly operated for one year from startup as part of the EPA Grant's Conditions, and for additional services for the completion of startup through April, 1998.

Aud. Cert. 9800389.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Edison School - Memorandum of Understanding.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-359) CONTINUED TO OCTOBER 28, 1997

Authorizing the City Manager to execute an agreement between the City of San Diego and the San Diego Unified School District regarding joint-use facilities at Edison Elementary School;

Authorizing a grant deed, conveying the seven City-owned parcels located between Wilson Avenue and 35th Street, north of Polk Avenue to the San Diego Unified School District.

CITY MANAGER SUPPORTING INFORMATION:

In 1988, the City began opportunistic acquisition of 10 residential properties lying between Wilson Avenue and 35th Street, north of Polk adjacent to Edison Elementary School as part of a planned joint-use playfield development with the San Diego Unified School District. To date the City has acquired seven of the ten properties amounting to approximately 0.70 acre. The three remaining residential parcels total approximately 0.21 acre. The playfields will be adjacent to Edison School, located at 4077 35th Street, allowing the District to have exclusive use of the area during school hours and the community having use after school, weekends and holidays. This agreement will allow the seven residential parcels to be transferred to the School District in exchange for construction of the joint-use facilities.

The District will acquire the three remaining residential parcels, administer and pay for the cost of the demolition contracts for the existing structures on all ten residential parcels, and provide full maintenance of the playfields for 25 years. The School District, through correspondence to the City, has agreed to demolish the seven structures within six months of their acquisition. The City agrees to cooperate in expeditious processing for approval of the vacation of Polk Avenue and a



portion of the alley north of Polk Avenue between 35th Street and Wilson Avenue. The MOU sets out further agreement between the City and the District for the joint use of the facilities.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H084-088.)

MOTION BY McCARTY TO CONTINUE TO OCTOBER 28, 1997, AT THE REQUEST OF DEPUTY MAYOR WARDEN TO ALLOW TIME FOR A STAFF REPORT. Second by Kehoe. Passed by common consent with Mayor Golding not present.

\* ITEM-116:

SUBJECT: Water Service Agreement with Otay Water District for the Border Patrol Station.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-403) ADOPTED AS RESOLUTION R-289301

Entering into a water service agreement with Otay Water District for the Border Patrol Station at Brown Field in San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The Army Corps of Engineers is planning to construct a new U.S. Border Patrol Station complex at Brown Field in the City of San Diego. The Station is situated within the boundaries of the water service area of the City of San Diego. However, the City does not currently have water facilities in this area which could provide water service to the Border Patrol Station. Until such time as the City has adequate facilities to provide water service to the Border Patrol Station the Army Corps of Engineers, representing the Border Patrol, has requested that the City

release the Border Patrol as a customer so the Otay Water District (District), which does have existing facilities adjacent to the proposed site, could provide service to the new Station. Water facilities to serve this project shall be constructed by the Army Corps of Engineers to meet or exceed City standards. The water facilities will then be turned over to the District to maintain and will remain the District's operation and maintenance responsibility while the Border Patrol Station is the District's water customer. At such time as the City is able to serve the Border Patrol Station, it shall revert to being a City customer.

WWF-98-307.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Agreement with Pountney & Associates, Inc. for  
As-Needed Engineering Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-369) ADOPTED AS RESOLUTION R-289302

Authorizing an agreement with Pountney & Associates, Inc., for as-needed engineering consultant services in connection with the wastewater and reclaimed water distribution systems;

Authorizing the expenditure of not to exceed \$500,000 from Metropolitan Wastewater Department Program Funds 41506, 41508, and 41509 and from Water Department Fund 41500.

CITY MANAGER SUPPORTING INFORMATION:

This agreement with Pountney & Associates, Inc. is for as-needed consultant services for 1997 through 2000 in support of the continuing upgrade and improvement of the City's Wastewater System and Reclaimed Water Distribution System. Types of services required will be soil and geotechnical analysis, traffic, sanitary, survey, civil, mechanical, and electrical engineering and cost review/analysis of engineering projects associated with the systems. These services are a partial listing as additional services will be determined in conjunction with the program's ongoing development. The need for consultant services was advertised on April 24 and 25, 1997, in the San Diego Daily Transcript, La Prensa, and Voice and Viewpoint, with 21 consultants responding. Four consultants were shortlisted and interviewed in accordance with Council Policy 300-7, and Pountney & Associates, Inc. was selected.

Their responsibilities will be to provide all management, supervision, labor, services, facilities, materials, equipment, tools, utilities, supplies, and all other items of every kind and description required to perform as-needed engineering consultant services for 1997 through 2000 for a contract amount not to exceed \$500,000. Project Subconsultants are: Post, Buckley, Schuh & Jernigan, Group Delta Consultants(WBE), Simon Wong Engineering (MBE), MGD Technologies, Katz, Okitsu & Associates (MBE), Roesling Nakamura Architects (MBE), and Kanrad Engineering (MBE).

Aud. Cert. 9800353.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Agreement with Water 3 Engineering, Inc. for As-Needed Civil Engineering Consultant Services.

(University, Mira Mesa, Scripps Miramar Ranch, and Miramar Ranch North Community Areas. Districts-1 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-371 Cor. Copy) ADOPTED AS RESOLUTION R-289303

Authorizing an agreement with Water 3 Engineering, Inc. for as-needed civil engineering consultant services, for reclaimed water retrofit projects;

Authorizing the expenditure of not to exceed \$500,000 from Water Revenue Fund 41500, CIP-70-941.0, Annual Allocation for Reclaimed Water Retrofit Systems.

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for civil engineering services on an as-needed basis. These services will include the preparation of engineering and design drawings for various reclaimed water distribution projects. A registered Civil Engineer is required. A list of eleven consultants was provided by the City's Consultant Services Coordinator. The firms were interviewed on June 19 and 23, 1997 in accordance with Council Policy 300-7, and Water 3 Engineering, Inc. was selected. Three other firms, Robert Bein, William Frost and Associates; P&D Consultants, Inc./Consoer Townsend Envirodyne Engineers; and HYA Consulting Engineers, A. Dames & Moore Company were also selected and agreements are forthcoming for the other consultant selections. Agreement tasks will be performed on a time and material basis. This agreement will terminate in two years from the date of execution by the City Manager. Existing potable water irrigation systems or other facilities intended for the use of reclaimed water must be "retrofitted" for such use before reclaimed water is provided to the user.

Improvements required may include installation of backflow preventer devices, separation of the reclaimed water system from the potable water system, the identification of reclaimed water system components by marking and tagging and the installation of signs to inform the public that reclaimed water is being used, and the installation of new piping systems as required. The retrofitting process includes the assessment and evaluation of existing facilities and the design, plan checking, construction, inspection and testing of the required modifications by City staff and County Health Department staff. The cost of retrofitting varies greatly depending on present user site conditions. Reclaimed Water Engineering staff of the Water Operations Division, Water Department is aggressively pursuing these potential customers and working with consultants specializing in reclaimed water retrofitting to have these customers ready to accept reclaimed water when it becomes available. When approved, the City Manager will authorize the Reclaimed Water Coordinator to approve consultant tasks up to the agreement amount.

Aud. Cert. 9800374.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119:

SUBJECT: Appointments and Reappointments to the Commission for  
Arts and Culture.

(See memorandum from Mayor Golding dated 10/6/97 with  
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-412) ADOPTED AS RESOLUTION R-289304

Council confirmation of the following appointment and reappointments by the Mayor to the Commission for Arts and Culture, for terms as indicated:

Appointments	Term Ending
Steve Estrada (Replacing Sandra Pay, whose term has expired.)	August 31, 1999
Iris Strauss (Replacing Berit Nielsen Durler, whose term has expired.)	August 31, 1999
Josephine Briggs (Replacing Marylou Valencia, whose term has expired.)	August 31, 2000
Vivian Resnick (Replacing Darlene G. Davis, whose term has expired.)	August 31, 2000
Reappointments	
Dorothy Hom	August 31, 2000
Gerry McAllister	August 31, 2000
Dr. Roger Cornell	August 31, 2000

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120:

SUBJECT: Reestablish the County Library Authority.

(See City Manager Report CMR-97-171.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-385) ADOPTED AS RESOLUTION R-289305

Requesting the County of San Diego to reestablish the  
Regional Library Authority (Authority);

Authorizing Councilmember McCarty to serve as the  
City's designated representative on the reestablished  
Authority;

Authorizing Councilmember McCarty to work with the City  
Manager and Board of Library Commissioners to resubmit  
the City's list of library priorities to the Authority,  
revised to reflect such changes as may be requested by  
the Councilmembers and the City Manager.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 9/24/97, PS&NS voted 5-0 to adopt recommendations in the City  
Manager's report to: 1) Request the County of San Diego to  
reestablish the Regional Library Authority; 2) Authorize  
Councilmember McCarty to be the designated City representative on  
the Authority, and 3) Authorize the City's representative on the  
Authority to work with the City Manager and Board of  
Commissioners to resubmit the City's revised list of priorities  
to the Library Authority. (Councilmembers Wear, Stevens, Warden,  
Stallings and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: Juvenile Realignment Task Force.

(See Committee Consultant Analysis PS&NS-97-8; Jerry Sanders' 9/18/97 and 2/12/97 memos; Councilmembers Stallings' 9/17/97 memo; Juvenile Services Realignment Task Force Committees; Project New Village Information Folder; Commission on African American Family and Community Health Roster; Guaranteeing Safe Passage Implementing the Comprehensive Strategy for the San Diego Region; A National Action Plan to Control Drugs; and Overview of Preventing Crime.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-386 REV.1) ADOPTED AS AMENDED AS RESOLUTION  
R-289306

Authorizing and directing the Juvenile Realignment Task Force to continue to develop a comprehensive, multi-agency plan that identifies the resources and strategies for providing an effective continuum of responses for the prevention, intervention, supervision, treatment and, if required, incarceration of juvenile offenders;

Authorizing the San Diego Police Department to work with the City's grant coordinator to seek funding opportunities to support the Council priority for early intervention in juvenile crime prevention;

Declaring that the youth and family development are top priorities for the City's Social Services Community Development Block Grant (CDBG) allocations;



Declaring that it is the City's desire that applications for such CDBG funds stress the collaborative nature of the applicant's programs with other social service providers to attain measurable results in diverting youth from crime and creating strong, stable families.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 9/24/97, PS&NS voted 5-0 to have: 1) The Juvenile Realignment Task Force continue to develop a comprehensive, multi-agency plan that identifies the resources and strategies for providing an effective continuum of responses for the prevention, intervention, supervision, treatment, and, if required, incarceration of juvenile offenders; 2) the San Diego Police Department work with the City of San Diego's grants coordinator to seek funding opportunities to support the Council priority for early intervention in juvenile crime prevention; 3) the City Council set a goal of making youth and family development the top priority for our Social Services community Development Block Grant allocations; and 4) applications for these funds stress the collaborative nature of their programs with other social service providers to attain measurable results in diverting youth from crime and creating strong, stable families. (Councilmembers Wear, Stevens, Warden, Stallings and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT AS AMENDED TO SAY "A TOP PRIORITY" INSTEAD OF "THE TOP PRIORITY" AS REQUESTED BY COUNCIL MEMBER McCARTY. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122:

SUBJECT: Two actions related to the North University City Public Facilities Financing Plan and Facilities Benefit Assessment (FBA).

(See City Manager Report P-97-118; Public Facilities Financing Plan and FBA, FY98 Draft; North University City FBA Alternatives; and Kevin T. Wirsing's 9/23/97 letters. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-356) ADOPTED AS RESOLUTION R-289307

Approving the document entitled "North University City Public Facilities Financing Plan and Facilities Benefit Assessment, July 1997."

Subitem-B: (R-98-357) ADOPTED AS RESOLUTION R-289308  
(Cor.Copy 11/26/97)

Resolution of Intention to designate an area of benefit in North University City and setting the time and place for holding a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/24/97, LU&H voted 5-0 to: 1) Approve a North University City Public Facilities Financing Plan for Fiscal Year 1998; 2) adopt a Resolution of Intention to designate an area of benefit for a FBA in the North University City portion of the University City community planning area; 3) adopt a Resolution of Designation; and 4) direct staff to equalize FBA fees over a one-year period between commercial and residential. (Councilmembers Mathis, Wear, Kehoe, Stevens and Vargas voted yea.)

FILE LOCATION: Subitems A,B: STRT - FB-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123:

SUBJECT: Two actions related to Rancho Penasquitos FY 1998  
Public Facilities Financing Plan and Facilities Benefit  
Assessment (FBA).

(See City Manager Report P97-148; Public Facilities  
Financing Plan and FBA, FY98 Draft. Rancho Penasquitos  
Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-352) ADOPTED AS RESOLUTION R-289309

Approving the document entitled "Rancho Penasquitos  
Public Facilities Financing Plan and Facilities Benefit  
Assessment, June 1997."

Subitem-B: (R-98-353) ADOPTED AS RESOLUTION R-289310

Resolution of Intention to designate an area of benefit  
in Rancho Penasquitos and setting the time and place  
for holding a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/24/97, LU&H voted 3-0 to: 1) Approve the Rancho Penasquitos  
Public Facilities Financing Plan for Fiscal Year 1998; 2) adopt a  
Resolution of Intention to designate an area of benefit for an  
FBA in portions of the Rancho Penasquitos Community Planning  
Area; 3) adopt a Resolution of Designation; and 4) approve the  
setting of Development Impact Fees (DIF), consistent with the FBA  
in the Rancho Penasquitos Community. (Councilmembers Mathis, Wear,  
and Stevens voted yea. Councilmembers Kehoe and Vargas not  
present.)

FILE LOCATION: Subitems A,B: STRT - FB-13

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

SUBJECT: Amendment No. 2 to the Agreement with the San Diego  
County Water Authority for Construction of the San  
Diego 7 Flow Control Facility and Raw Water Aqueduct  
Connection to the Otay Filtration Plant.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-361 Cor.Copy) ADOPTED AS RESOLUTION R-289311

Authorizing Amendment No. 2 to the Agreement with the  
San Diego County Water Authority for construction of  
the San Diego 7 Flow Control Facility;

Authorizing the City Auditor and Comptroller to  
transfer funds within Water Fund 41500 from  
CIP-73-330.0, Mission Valley Aquaculture Facility  
Demolition, to CIP-73-315.0, Otay Filtration Plant Raw  
Water Aqueduct Connection in the amount of \$120,000;

Authorizing the Auditor and Comptroller to expend an  
amount not to exceed \$120,000 from CIP-73-315.0, Otay  
Filtration Plant Raw Water Aqueduct Connection to Fund  
Amendment No. 2 and related costs.

CITY MANAGER SUPPORTING INFORMATION:

Amendment No. 1 to the Agreement between the San Diego County Water Authority (CWA) and the City of San Diego, dated June 12, 1995, authorized upsizing the existing flow control facility and construction of a 48-inch raw water connection pipeline to the Otay Filtration Plant. Additional costs were incurred when the driller encountered bedrock while installing deep well anodes, excessive utility conflicts were encountered while trenching for the pipe in the vicinity of the Otay Filtration Plant, and the City requested installation of two additional 48-inch butterfly valves. The Engineer's Cost Estimate to modify the flow control facility has also been increased. The cost to perform the additional construction necessary to upsize the flow control facility, including special services and contingencies is \$110,000. City project management costs are estimated at \$10,000. Total additional costs are \$120,000.

Aud. Cert. 9800377.

WWF-98-308.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-125:

SUBJECT: Thurgood Marshall College's Cultural Celebration Day.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-376) ADOPTED AS RESOLUTION R-289312

Proclaiming Saturday, April 4, 1998 to be "Thurgood Marshall College's Cultural Celebration Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126:

SUBJECT: Charles (Chuck) G. Abdelnour Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-421) ADOPTED AS RESOLUTION R-289313

Proclaiming Tuesday, October 7, 1997 to be "Charles (Chuck) G. Abdelnour Day" in San Diego in honor of his 20th anniversary as City Clerk of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-127:

SUBJECT: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(See City Manager's Update. San Ysidro and Tijuana  
River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-322) ADOPTED AS RESOLUTION R-289314

Declaring a continued State of Emergency regarding the  
discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the  
discharge of raw sewage from Tijuana,  
Mexico

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-128:

SUBJECT: Second Amendment to Consultant Agreement, Pacific Beach  
Recreation Center Addition.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-411) ADOPTED AS RESOLUTION R-289315

Authorizing the City Manager to execute a second  
amendment to agreement with Bermudes Architects for  
additional professional services necessitated by

unforeseen conditions and requirements of the Pacific Beach Recreation Center Addition Project;

Authorizing the City Auditor and Comptroller to transfer \$72,870 from CIP-29-420.01, Pacific Beach Community Park - Requirements, Phase II, Pacific Beach Urban Community Fund, Fund No. 79507, to CIP-29-765.0, Pacific Beach Community Park, Requirements, Phase I;

Authorizing the expenditure of an amount not to exceed \$230,870 as follows: \$102,870 from CIP-29-765.0, Pacific Beach Community Park Requirements, Phase 1, Pacific Beach Urban Community Fund, Fund No. 79507; and \$128,000 from CIP-44-001.0, MWWF Sewer Fund, Fund No. 41506, for the purpose of funding the second amendment to agreement with Bermudes Architects, for addition costs anticipated for the previously approved construction contract and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Pacific Beach Recreation Center is located at 1405 Diamond Street east of Gresham Street in the Pacific Beach Community Planning Area. The project was under construction to add meeting rooms, expand the size of the existing office, remove access barriers for persons with disabilities, and miscellaneous site work to accommodate the building addition.

Partway into construction, the project was halted by Development Services Department due to the previously unidentified need to reroute an existing sewer mainline around the building addition. Also, several other unforeseen conditions related to the advanced age of this facility require that additional work be done. Some of these factors are: 20" - 22" of existing asphalt paving removal vs. the usual 4" - 6"; existing asbestos water line which requires special handling to abandon; existing water lines shared between irrigation and potable water systems which must be separated and back-flow preventer installed; additional disabled access requirements added to the project after the project was bid; reorientation of the existing adjacent multi-purpose courts



required due to introduction of manholes for the rerouted sewer line; and direct burial of multi-purpose court light posts which require special footings and welded-plates to safely relocate. The costs associated with the above factors, delays and redesign require that additional funds be allocated to the project.

On July 21, 1994, the City executed the first amendment to agreement with Bermudes Architects. It provided for additional professional services required to modify the plans and specifications to show disabled access options, basketball court lighting, and miscellaneous interior details to accommodate code changes which occurred while the plans had been inactive awaiting funding for construction. The second amendment to agreement will provide for additional professional services necessary to modify plans and specifications to respond to the unusual site conditions, and meet additional disabled access requirements for the building permit.

Aud. Cert. 9800422.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Amending the Annual Appropriation Ordinance to Fund the  
43rd and National Street Realignment Project.

(Southcrest Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-98-30) INTRODUCED AND ADOPTED AS ORDINANCE  
O-18438 (New series)

Introduction and adoption of an Ordinance amending Ordinance O-18424 (New Series), titled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by amending CIP Project CIP-52-409.0, 43rd and National Street Realignment Project, increasing Trans Net Funding (Fund 30300) by \$370,801.83, by transferring the sum of \$370,801.83 from Trans Net Fund Balance (Fund 30300) to CIP-52-409.0, 43rd and National Street Realignment Project.

Aud. Cert. 9800357.

NOTE: See Item 330b of October 7, 1997 for the first public hearing of the ordinance. Today's action is the second public hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO INTRODUCE AND DISPENSE WITH THE READING AND ADOPT THE ORDINANCE INCLUDING ADDITIONAL COMMENTS THAT STAFF MET WITH THE PROPERTY OWNERS AS DIRECTED AND THAT PART OF THE ITEM WILL COME BACK NEXT WEEK. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Extension of Existing Contract with WWTI, Bio Gro Division for Hauling and Offsite Beneficial Use of Digested Dewatered Biosolids.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-209) ADOPTED AS RESOLUTION R-289316

Authorizing a contract extension of an existing contract with WWTI, Bio Gro Division (Irvine, CA), for hauling and offsite beneficial use of digested dewatered biosolids, as may be required for a period of one year beginning January 1, 1998 through December 31, 1998, for a total estimated cost of \$4,278,000;

Authorizing the expenditure of not to exceed \$4,278,000 from Fund No. 41508, Department No. 771, Organization No. 211, Object Account No. 4222, and Job Order No. 002214, for providing funds for the contract;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B4977/96)

CITY MANAGER SUPPORTING INFORMATION:

On September 9, 1996 the City Council adopted Resolution R-287808 which authorized a contract with WWTI, Bio Gro Division (Irvine, CA) for Hauling and Offsite Beneficial Use of Digested Dewatered Biosolids from Metropolitan Wastewater Department's Fiesta Island sludge dewatering facility for a period of approximately sixteen months beginning August 10, 1996 through December 31, 1997 at a cost of \$21.64 per wet ton. An extension to that contract is now being requested for a period of one year beginning January 1, 1998 through December 31, 1998, at a reduced cost not to exceed \$21.39 per wet ton. That price would be effective for material hauled from Fiesta Island and from the Metropolitan Biosolids Center during the changeover period when both facilities are in operation. When Fiesta Island is permanently closed and operations are exclusively at the Metropolitan Biosolids Center, the price would be discounted another \$0.25 per ton to \$21.14 per ton. At the time the original contract was bid, it was intended that this contract requirement would be rebid for calendar year 1998. However, it has been determined that rebidding at this time would not be feasible. The history of contractor

changeovers for biosolids removal shows that it takes almost six months at Fiesta Island to work out some of the daily operation problems associated with bringing a new contractor on board. Start up of the new facility at Metropolitan Biosolids Center would compound the normal problems encountered in daily operations. WWTI, Bio Gro Division, the current contractor, has proven to be flexible and willing to adapt to meet our needs. The estimated quantity of materials to be removed during the one year contract extension period is approximately 200,000 wet tons.

Aud. Cert. 9800316.

FILE LOCATION: PURCHASE CONFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to Calle Cristobal Landscape  
Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-418) ADOPTED AS RESOLUTION R-289317

Resolution of Intention to levy and collect 1997-98  
Annual Assessments on Calle Cristobal Landscape  
Maintenance District.

Subitem-B: (R-98-419) ADOPTED AS RESOLUTION R-289318

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The Calle Cristobal Landscape Maintenance District was established in 1987 to provide maintenance for the street side of the sound attenuator wall along Calle Cristobal, 67,227 square feet of median (of which 27,992 contains landscaping) and 373,110 square feet of street scape. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 15,913.00	\$ 15,913.00
REVENUE:			
Assessments	122,000.00	\$ 00.00	\$122,000.00
Interest	0.00	1,900.00	1,900.00
City Contribution	8,057.00	00.00	8,057.00
TOTAL REVENUE	\$130,067.00	\$1,900.00	\$130,067.00
TRANSFER	1,843.00	( 1,843.00)	0.00
EXPENSE:			
Personnel	\$18,731.00	\$ 0.00	\$ 18,731.00
Contractual	61,000.00	0.00	61,000.00
Incidental	20,629.00	0.00	20,629.00
Utilities	31,550.00	0.00	31,550.00
TOTAL EXPENSE	\$131,910.00	\$ 0.00	\$131,910.00
ENDING BALANCE	\$ 0.00	\$ 15,970.00	\$ 15,970.00

The District has been re-engineered to meet the Proposition 218 guidelines, requiring a change in methodology and apportionment. The proposed assessment for Fiscal Year 1998 is \$86.61 per equivalent benefitting unit (EBU) in Zone 1, \$25.98 per EBU in Zone 2 and \$43.30 per EBU in Zone 3. The maximum authorized assessment is \$89.15 per EBU indexed annually to the San Diego CPI-U. The District contains a total of 1,408.6 equivalent benefitting units (EBUs). Zone 1 contains 1,037.4 EBUs. Zone 2 contains 234.9 EBUs, and Zone 3 contains 136.3 EBUs.

FILE LOCATION: Subitems A,B: STRT - M-405-98

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Appeals of Mark Rosengrant, Murray Helm, James Milch,  
and Michel Anderson from the Planning Commission  
decision in approving the Conditional Use Permit  
CUP-96-7240 (Kurtz St. Facility) in the Midway/Pacific  
Highway Corridor Community Plan Area.

(CUP-96-7240. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to deny the appeal and  
grant the permit:

Subitem-A: (R-98- ) NOTED AND FILED

Adoption of a Resolution certifying that the  
information contained in Environmental Negative  
Declaration DEP-96-7240 has been completed in  
compliance with the California Environmental Quality  
Act of 1970 and State guidelines, and that said  
declaration has been reviewed and considered by the  
Council pursuant to California Public Resources Code  
Section 21081.

Subitem-B: (R-98-557) GRANTED APPEAL, DENIED PERMIT  
ADOPTED AS RESOLUTION R-289319

Adoption of a Resolution granting or denying the appeal  
and granting or denying the permit, with appropriate  
findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-3 to approve.

Ayes: Watson, White, Skorepa, Neils

Nays: Butler, Anderson, Quinn

The Midway Community Plan Advisory Committee has recommended denial of the project.

CITY MANAGER SUPPORTING INFORMATION:

The project proposes to develop and operate a 30,000-square-foot, 256 bed Correctional Placement Center. The 15,000-square-foot site is located at 2053 Kurtz Street and is designated for industrial use in the Midway/Pacific Highway Corridor Community Plan and zoned Manufacturing-Small Industry (M-SI). The site is developed with an approximately 17,000-square-foot, two-story building that was previously occupied by a commercial paint contractor. The structure has been vacant for 12 months. Surrounding land uses are a mix of both commercial and industrial uses. Properties to the north of the site include a warehouse and distribution center and Old Town Trolley Tours. East of the site is the Santa Fe Railroad and San Diego Trolley right-of-ways. Beyond the right-of-way is a sliver of industrial and commercial uses and the I-5 freeway. Across Wright Street to the south is Draheim Steel and Royal West Bus Tours. Several commercial businesses are west of the site including Sundown Automotive, Boat Depot and Perfect Penguin Tuxedos, and beyond these are Pacific Coast Highway and the Marine Corp Recruit Depot. The project proposes to remodel the existing 17,000-square-foot, two-story structure and construct an additional 13,000 square feet to develop a 30,000-square-foot, three-story, 256-bed Correctional Placement Center. The proposal includes requests for deviations from the underlying M-SI Zone regulations and the City's Correctional Placement Center (CPC) Requirements. Specifically, deviations have been requested for the street (front) and street (side) setbacks, lot coverage, parking and locational criteria.

LEGAL DESCRIPTION:

The project site is located at 2053 Kurtz Street and is more particularly described as Lots 7, 8 and 9, Block 210, Middletown Subdivision, Map-CCI-1874.

FILE LOCATION: Subitems A,B: PERM - CUP-96-7240

COUNCIL ACTION: (Tape location: D254-G050.)

Hearing began at 2:29 p.m. and halted at 4:16 p.m.

Testimony in favor by Michel Anderson and Gary Hill.

Testimony in opposition by Murray Helm, Mike Boyle, Dale Pursel, Gary Takessian, and Kevin McNamara.

MOTION BY WEAR TO DENY CUP 96-7240, A CORRECTIONAL FACILITY AT 2053 KURTZ STREET. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Paige Residence Balcony Addition.

Matter of an appeal from the decision of the Planning Commission in approving the permits for the construction of a 300-square foot balcony addition extending from the second story of an existing single-family residence on a 9,378-square-foot site, located at 5204 Chelsea Avenue, within the R1-5000 zone of the La Jolla Community Plan Area.

(SCR/CDP-96-0584(Amend 91-0139). District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to deny the appeal and grant the permits, subject to conditions.

(R-98-558) DENIED APPEAL, GRANTED PERMIT ADOPTED AS  
RESOLUTION R-289320



Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-0 to approve with conditions; was opposition.

Ayes: Butler, Watson, Neils, Anderson and Skorepa

Nays: None.

Not present: Quinn and White

The La Jolla Community Planning Association has recommended approval of the permits.

SUPPORTING INFORMATION:

The project proposes the construction of a second-story balcony to the existing two-story, single-family residence. The balcony addition would be constructed of stucco, to match the existing residence, with wood louvers. Three ground-supported columns will support the balcony. The project is located in an urbanized residential neighborhood of varying design styles. The site is zoned R1-5000 and lies within the City's Coastal Jurisdiction and the Sensitive Coastal Resource Overlay Zone.

LEGAL DESCRIPTION:

The subject property is more particularly described as being located at 5204 Chelsea Avenue, Lot 13, Block 4 of Pacific Riviera Villas, Unit No. 1, Map-2531, in the R1-5000 Zone.

FILE LOCATION: PERM - SCR/CDP-96-0584

COUNCIL ACTION: (Tape location: D194-248.)

Hearing began at 2:24 p.m. and halted at 2:28 p.m.

MOTION BY MATHIS TO DENY THE APPEAL AND GRANT THE PERMIT INCLUDING STAFF'S RECOMMENDATION TO MODIFY CONDITION 11 TO READ, "NO STRUCTURE OR IMPROVEMENT OR PORTION THEREOF, SHALL

BE PLACED OR ERECTED AND NO GRADING SHALL BE UNDERTAKEN WITHIN 25 FEET OF ANY POINT ALONG THE COASTAL BLUFF EDGE AS DETERMINED BY THE CITY MANAGER BASED ON GEOLOGIC EVIDENCE AND THE 25 FOOT BLUFF EDGE SETBACK;" AND INCLUDE A CONDITION REQUIRING ALL EXISTING FENCING, SPECIFICALLY, THAT WITHIN THE REQUIRED FRONT YARD BE MODIFIED TO CONFORM WITH THE SAN DIEGO MUNICIPAL CODE REQUIREMENTS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: CONTINUED TO JANUARY 20, 1998

(Continued from the meetings of April 15, 1997, Item 331; May 13, 1997, Item 333; and July 15, 1995, Item 331; last continued at the request of the Acting City Manager for further review.)

SUBJECT: Four actions related to the Improvement of Alley Block 3, Fortuna Park, 1911 Improvement Act.

(Pacific Beach Community Area. District-2.)

NOTE: Hearing open. No testimony taken on 7/15/97.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-647)

Resolution of feasibility for the improvement of Alley Block 3, Fortuna Park under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

Subitem-B: (R-97-648)

Resolution ordering the work for the improvement of Alley Block 3, Fortuna Park under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

Subitem-C: (R-97-649)

Resolution approving the City Engineer's Report submitted in connection with the Improvement of Alley Block 3, Fortuna Park.

Subitem-D: (R-97-650)

Resolution adopting the plans and specifications for Alley Block 3, Fortuna Park under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

CITY MANAGER SUPPORTING INFORMATION:

This proposed public improvement is a property owner initiated project under the provisions of the Improvement Act of 1911. This act provides the means to install public improvements, apportion the cost of such improvements to the benefitting parcels of land and issue ten year, fully amortized bonds repaid in semiannual installment payments of principal and interest. The property owners reside in the block bounded by Pacific Beach Drive, Fortuna Avenue, Promontory Street and Ingraham Street. The proposed improvements include grading and paving the alley and the construction and installation of an eighteen inch (18") storm drain. Seventy percent (70%) of the property owners (measured by area) benefitting from this improvement have shown their support for the project. The owners of sixty-one percent (61%) of the property area have signed a petition requesting the improvements. Waivers of protest for alley improvements were obtained for nine percent (9%) of the property area. The waivers were obtained as a condition of approval of building permits, recorded with the County Recorder's office and are on file with the City of San Diego. The City recently conducted a postcard survey to determine the current property owner support for this project. This survey was warranted by the passage of time (more than two years) and a significant increase in the estimated costs of the improvements from those shown in the original petition (current estimated costs \$190,000; original estimated costs \$50,000). We mailed postcards to each of the twenty-five (25) property owners. The results of this property owner survey are as follows:

	Parcel Area	Voting	Percentages Total
No Response	0.6888	0.0	28.6
In Favor	1.0308	60.0	42.8
Opposed	.6888	40.0	28.6
Total	2.4084	100.0	100.0

FILE LOCATION: Subitems A,B,C,D: NONE

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO CONTINUE TO JANUARY 20, 1998,  
AT THE REQUEST OF THE ACTING CITY MANAGER. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

(Continued from the meetings of September 9, 1997, Item  
331, and September 23, 1997, Item 330; last continued  
at Councilmember Wear's request, to allow time for data  
to come back from the Agency and SDG&E.)

SUBJECT: An appeal by Don Rose of SDG&E from the decision of the  
Historical Site Board in approving the historical site  
designation of property located at 75 9th Ave., Lot A  
in Block 157 of Horton's Addition in the City of San  
Diego (Brick Building).

(Centre City Community Area. District-2.)

NOTE: Hearing open. No testimony taken on 9/23/97.  
Hearing open. No testimony taken on 9/9/97.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to deny the appeal:

(R-97-559) GRANTED APPEAL, ADOPTED AS RESOLUTION  
(Cor.Copy 08/07/98) R-289321

Adoption of a Resolution granting or denying the appeal, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Historical Site Board voted 9-1-1 to approve the historic designation.

Ayes: Barr, Bishop, Brown, Christenson, Furlong, May,  
Riley, Jr., Stiegler, Stykes  
Nays: Iseman  
Abstaining: Strahm  
Not present: Austin

SUPPORTING INFORMATION:

The historical site designation of the two walls of the building on Lot A, Block 157, on San Diego Gas & Electric's (SDG&E) property located at 75 9th Avenue, was decided by the Historical Site Board on June 25, 1997. Don Rose, Land Planning and Natural Resources Supervisor for SDG&E, is appealing this decision based on historical, structural, environmental, and economic issues. The Station A "Brick Building" is a 5,000 square foot concrete and unreinforced masonry structure constructed in 1911 by the Chicago firm of Byllesby and Company. It was built as a turbine room addition for the now-demolished first power plant of the City of San Diego (1880-88). This structure is the only extant building of that original plant. The "Brick Building" is a Richardsonian, two-story structure with classical design features such as a series of large keystone arched windows, a circular window and masonry pilasters as well as quoins at the Ninth and Imperial Corner. The Ninth Avenue facade has been altered by the addition of an unsympathetic rollup door. Nonetheless, both the Imperial Avenue and Ninth Street Facades are primarily intact and are excellent examples of the turn-of-the-century Richardsonian industrial architectural style.

LEGAL DESCRIPTION:

The subject property is located at 75 9th Avenue and is more particularly described as Lot A in Block 157 of Horton's Addition in the City of San Diego.

FILE LOCATION: GEN'L - 75 9th Ave., Lot A in Block 157  
of Horton's Addition

COUNCIL ACTION: (Tape location: G073-H083.)

Hearing began at 4:18 p.m. and halted at 4:59 p.m.

MOTION BY VARGAS TO REVERSE THE HISTORICAL SITE BOARD'S DECISION TO DESIGNATE THE NORTH AND THE WEST EXTERIOR FACADES AND ADOPT THE CONDITIONS TO FULLY DOCUMENT AND PRODUCE DRAWINGS AND OTHER REPRESENTATIONS OF THESE WALLS IN ORDER TO CATALOG THEM BY ARCHITECTURAL FEATURE AND HAVE THE BRICKS MAINTAINED AND PLACED IN A SAFE STORAGE TO BE REUSED AT A LATER DATE TO RECONSTRUCT THE FACADES UPON THE DEVELOPMENT AND AT THE DISCRETION OF THE DEVELOPER OF THIS SITE AREA. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-334:

SUBJECT: Two actions related to Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report CMR-97-160; memorandum dated 10/7/97 from Acting Deputy City Manager George Loveland and Charlene Gabriel, Facilities Financing Manager; letter from Scot C. Sandstrom, E. Williams Meyer, and Jerry Elder dated 8/12/97; letter from Willard E. and Traute Gleeson dated 6/29/97. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-1355) ADOPTED AS RESOLUTION R-289322  
(Cor.Copy 10/15/97)  
Designating an area of benefit in Carmel Valley;  
confirming the description of Public Facilities  
Projects, the Community Financing Plan and Capital

Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and ordering the proposed Public Facilities Project in the matter of the Carmel Valley Facilities Benefit Assessment Area.

Subitem-B: (R-98-1356) ADOPTED AS RESOLUTION R-289323

Declaring that the assessment fee schedule contained in the Carmel Valley Public Facilities Financing Plan, as adopted and approved in Resolution R-289215, is an appropriate and applicable Development Impact Fee.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 8/13/97, LU&H voted 3-0 to recommend that the City Council: 1) Approve the Carmel Valley Public Facilities Financing Plan for Fiscal Year 1998; 2) Adopt a Resolution of Intention to designate two areas of benefit for Facilities Benefit Assessment (FBA) in Carmel Valley; and 3) Adopt a resolution of designation. (Councilmembers Mathis, Wear and Stevens voted yea. Councilmembers Kehoe and Vargas not present.)

FILE LOCATION: Subitems A,B: STRT - FB-8

COUNCIL ACTION: (Tape location: D010-190.)

Hearing began at 2:09 p.m. and halted at 2:24 p.m.

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the Coronado View Landscape Maintenance

District. Council will take action at the subsequent hearing scheduled for November 4, 1997, at 10:00 a.m.

(South Encanto Neighborhood. District-8.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for November 4, 1997 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The Coronado View Landscape Maintenance District was established in July 1983 to provide maintenance for one acre of landscaped street slope within the district. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 4,989.00	\$ 4,989.00
REVENUE:			
Assessments	15,883.00	\$ .00	\$15,883.00
Interest	0.00	148.00	148.00
TOTAL REVENUE	\$23,465.00	\$ 148.00	\$16,031.00
TRANSFER	1,210.00	( 1,210.00)	0.00
EXPENSE:			
Personnel	\$ 5,604.00	\$ 0.00	\$ 5,604.00
Contractual	5,000.00	0.00	5,000.00
Incidental	4,749.00	0.00	4,749.00
Utilities	1,740.00	0.00	1,740.00
TOTAL EXPENSE	\$17,093.00	\$ 0.00	\$17,093.00
ENDING BALANCE	\$ 0.00	\$ 3,927.00	\$ 3,927.00

The proposed assessment for Fiscal Year 1998 is \$136.06 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. This is the same amount as Fiscal Year 1997. The district contains 116 equivalent benefit units.



FILE LOCATION: STRT - M-387-98

COUNCIL ACTION: (Tape location: D010-190.)

Hearing began at 2:09 p.m. and halted at 2:24 p.m.

CONSENT MOTION BY STEVENS TO APPROVE THE FIRST HEARING.  
Second by Kehoe. Passed by the following vote: Mathis-yea,  
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings  
regarding the Newport Avenue Landscape Maintenance  
District. Council will take action at the subsequent  
hearing scheduled for November 4, 1997, at 10:00 a.m.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the  
matter to the second public hearing which has been scheduled  
for November 4, 1997 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The Newport Avenue Landscape Maintenance District was established  
in July 1989 to provide maintenance of landscaped planters in the  
public right-of-way and front footage along Newport Avenue which  
totals 3,655 feet. The Fiscal Year 1998 proposed maintenance  
costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$36,928.00	\$36,928.00

REVENUE:

Assessments	33,460.00	\$ 0.00	\$33,460.00
Interest	0.00	700.00	700.00
TOTAL REVENUE	\$33,460.00	\$ 700.00	\$34,160.00

TRANSFER	5,581.00	( 5,581.00)	0.00
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EXPENSE:

Personnel	\$ 8,407.00	\$ 0.00	\$ 8,407.00
Contractual	10,000.00	0.00	10,000.00
Incidental	8,047.00	0.00	8,047.00
Utilities	1,425.00	0.00	1,425.00
TOTAL EXPENSE	\$27,879.00	\$ 0.00	\$27,879.00

ENDING BALANCE	\$ 0.00	\$43,209.00	\$43,209.00
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The proposed assessment for Fiscal Year 1998 is \$9.16 per front foot indexed annually to the San Diego CPI-U. This is a reduction of \$0.58 per front foot from the Fiscal Year 1997 assessment of \$9.74 per front foot. The district contains 3,655 feet of front footage along Newport Avenue.

FILE LOCATION: STRT - M-496-98

COUNCIL ACTION: (Tape location: D010-190.)

Hearing began at 2:09 p.m. and halted at 2:24 p.m.

CONSENT MOTION BY STEVENS TO APPROVE THE FIRST HEARING.

Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the San Ysidro Boulevard Landscape Maintenance District No. 1. Council will take action at the subsequent hearing scheduled for November 4, 1997, at 10:00 a.m.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for November 4, 1997 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The San Ysidro Boulevard Landscape Maintenance District No. 1 was established in July 1988 to provide maintenance for the landscaped medians, decorative sidewalk and street amenities such as bollards, benches and planter boxes on San Ysidro Boulevard from I-805 to 100 feet west of Via de San Ysidro, a distance of 1,413 feet. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$28,085.00	\$28,085.00
REVENUE:			
Assessments	21,450.00	\$ .00	\$21,450.00
Interest	0.00	1,500.00	1,500.00
City Contribution	515.00	0.00	515.00
TOTAL REVENUE	\$23,465.00	\$ 1,500.00	\$23,465.00
TRANSFER	13,353.00	(13,353.00)	0.00
EXPENSE:			
Personnel	\$ 8,407.00	\$ 0.00	\$ 8,407.00
Contractual	17,500.00	0.00	17,500.00
Incidental	9,586.00	0.00	9,586.00
Utilities	1,325.00	0.00	1,325.00
TOTAL EXPENSE	\$36,818.00	\$ 0.00	\$36,818.00
ENDING BALANCE	\$ 0.00	\$16,232.00	\$16,232.00

The proposed assessment for Fiscal Year 1998 is \$15.18 per front foot indexed annually to the San Diego CPI-U. The assessment is the same amount as Fiscal Year 1997 and is based on the frontage along San Ysidro Boulevard. The total frontage along San Ysidro Boulevard is 1,413 feet.

FILE LOCATION: STRT - M-364-98

COUNCIL ACTION: (Tape location: D010-190.)

Hearing began at 2:09 p.m. and halted at 2:24 p.m.

CONSENT MOTION BY STEVENS TO APPROVE THE FIRST HEARING.  
Second by Kehoe. Passed by the following vote: Mathis-yea,  
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338: CONTINUED TO NOVEMBER 25, 1997

SUBJECT: Carmel Valley Neighborhood 8C; Adoption of a Precise  
Plan, Amendment to the Progress Guide and General Plan,  
Carmel Valley Community Plan, Carmel Valley Planned  
District Ordinance and Approving VTM/RPO/CVPD-96-7499.

(Case-96-7499. District-1.)

CITY MANAGER'S RECOMMENDATION:

Do not adopt the Findings and Statement of Overriding  
Considerations and the Mitigation, Monitoring and Reporting  
Program as identified in Subitem A; do not introduce Subitem  
B; deny Subitems C through E:

Subitem-A: (R-98- )

Certifying that the information contained in  
LDR-96-7499 has been completed in compliance with the  
California Environmental Quality Act and State CEQA  
guidelines, and that said EIR reflects the independent  
judgement of the City of San Diego as Lead Agency;  
stating for the record that the final EIR has been  
reviewed and considered prior to approving the project;  
adopting the Findings and Statement of Overriding  
Considerations; adopting the Mitigation, Monitoring and  
Reporting Program.

Subitem-B: (O-98- )

Introduction of an Ordinance amending the Carmel Valley  
Planned District Ordinance rezoning the Neighborhood 8C  
Precise Plan Area from A-1-10 (Agriculture) to SF3  
(Single Family Residential) and OS (Open Space).

Subitem-C: (R-98- )

Adopting the Carmel Valley Neighborhood 8C Precise Plan  
and amending the Progress Guide and General Plan and  
the Carmel Valley Community Plan.

Subitem-D: (R-98- )

Granting or denying Vesting Tentative Subdivision Map  
VTM-96-7499, with appropriate findings to support  
Council action.

Subitem-E: (R-98- )

Granting or denying Resource Protection Ordinance  
Permit and Carmel Valley Planned District Permit  
RPO/PD-96-7499, with appropriate findings to support  
Council action.

PROJECT DESCRIPTION:

Neighborhood 8C and Amendment to the Progress Guide and General  
Plan and Carmel Valley Community Plan to designate a 40-acre site  
located at the southerly boundaries of the Carmel Valley  
Community for 156 single family homes; approval of a Vesting  
Tentative Map, Resource Protection Ordinance Permit and Carmel  
Valley Planned Development Permit to construct 145 single family  
homes; and rezone the A-1-10 [Agriculture] zone to the SF3  
[Single Family Residential] zone and OS [Open Space] zone.

LEGAL DESCRIPTION:

The 40-acre site is located on the southerly boundaries of the  
Carmel Valley Community, described as a portion of Section 30,  
T14S, R3W, SBM.

FILE LOCATION: Subitems A,C,D,E: LAND - Carmel Valley  
Neighborhood 8C; Subitem B: NONE

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO CONTINUE TO NOVEMBER 25, 1997,  
AT THE REQUEST OF THE APPLICANT FOR AN EXTENSION OF THE  
DEADLINE TO BE CONSISTENT WITH THE ACTION TAKEN IN CLOSED  
SESSION. Second by Kehoe. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-S500:

SUBJECT: Two actions related to the Final Subdivision Map of  
Carmel Mountain Ranch Unit 23A-3.

(A 28-lot subdivision. Carmel Mountain Ranch  
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-106) ADOPTED AS RESOLUTION R-289324

Authorizing a Subdivision Improvement Agreement with  
Carmel Mountain Ranch for the installation and  
completion of public improvements.

Subitem-B: (R-98-105) ADOPTED AS RESOLUTION R-289325

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 6.910 acre site into 28  
lots for residential development. It is located south of Ted  
Williams Parkway and east of Shoal Creek Drive in the Carmel  
Mountain Ranch Community Plan area. On July 18, 1996 the  
Planning Commission of the City of San Diego approved Planned  
Residential Development Permit PRD-87-1082 for Carmel Mountain  
Ranch Unit 23. The City Engineer has approved the final map and

states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 28621-1D through 28621-5D filed in the Office of the City Clerk under Micro Number 139.44. All improvements are to be completed within 2 years. The Engineer's estimate for the cost of public improvements is \$288,938 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$2,510, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments.

This subdivision is located in the Carmel Mountain Ranch Facilities Benefit Assessment (FBA) District, which provides for the payment of FBA (including parks), at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

FILE LOCATION: Subitems A,B: SUBD - Carmel Mountain  
Ranch Unit 23A-3

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-S501:

SUBJECT: Three actions related to the Final Subdivision Map of  
Carmel Mountain Ranch Unit 23B-1.

(A 54-lot subdivision. Carmel Mountain Ranch  
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-64) ADOPTED AS RESOLUTION R-289326

Authorizing a Subdivision Improvement Agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-98-63) ADOPTED AS RESOLUTION R-289327

Approving the final map.

Subitem-C: (R-98-65) ADOPTED AS RESOLUTION R-289328

Accepting a grant deed of Carmel Mountain Ranch, granting to the City Lot 54 of Carmel Mountain Ranch Unit 23B-1 for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 31.285 acre site into 54 lots for residential development. It is located south of Ted Williams Parkway between Rancho Carmel Drive and Shoal Creek Drive in the Carmel Mountain Ranch Community Plan area. On July 18, 1996 the Planning Commission of the City of San Diego approved Planned Residential Development Permit PRD-87-1082 for Carmel Mountain Ranch Unit 23. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 28436-1-D through 28436-7-D filed in the Office of the City Clerk under Micro Number 139.41. All improvements are to be completed within 2 years. The Engineer's estimate for the cost of public improvements is \$1,022,100 and a Performance Bond in that amount has been provided as surety.

A cash bond in the amount of \$6,900, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Carmel



Mountain Ranch Facilities Benefit Assessment (FBA) District, which provides for the payment of FBA (including parks), at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

FILE LOCATION: Subitem A,B: SUBD - Carmel Mountain  
Ranch Unit 23B-1; Subitem C: DEED  
F-7101 DEEDFY98-1/CONTFY98-1

COUNCIL ACTION: (Tape location: D010-190.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Kehoe.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Warden at 5:08  
p.m. in honor of the memory of:

Monsignor Isaac Brent Eagen and Dr. William McGill as  
requested by Mayor Golding; and

Mr. Kenneth Hahn as requested by Council Member  
Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H119-190).